

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JOHN ELLIOTT, RICARDO CAMARGO,
JAVIER ROVIRA, and BRADLEY SMITH,

Plaintiffs,

vs.

VALVE CORPORATION,

Defendant.

Case No. 2:24-cv-01218-JNW

**NOTICE OF RELATED CASE –
DRAKE, ET AL. V. VALVE CORP.,
NO. 2:24-CV-01743**

CONNOR HEPLER and AARON LANCASTER,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiffs,

vs.

VALVE CORPORATION,

Defendant.

Case No. 2:24-cv-01735

IN RE: VALVE ANTITRUST LITIGATION

Case No. 2:21-CV-00563-JNW

NOTICE OF RELATED CASE

Cotchett, Pitre & McCarthy, LLP
999 N. Northlake Way Ste 215
Seattle, WA 98103

Interested Parties Brandon Drake and Eric Saavedra, the plaintiffs in *Drake v. Valve Corporation*, 2:24-cv-01743 (W.D. Wa.) (“*Drake Action*”), hereby notify the Court of and submit the attached Notice of Related Cases. (*Drake*, Dkt. 2).

The *Drake* action is related to *In re Valve Antitrust Litigation*, 21-cv-00563-JNW (W.D. Wash. Apr. 27, 2021) (“*In re Valve*”), *Elliott v. Valve Corp.*, No. 2:24-cv-01218-JNW (W.D. Wash. Aug. 9, 2024) (“*Elliott*”), *Valve Corp. v. Abbruzzese et al.*, No. 2:24-cv-01717-LK (W.D. Wash. Oct. 18, 2024) (“*Abbruzzese*”), and *Hepler v. Valve Corp.*, No. 2:24-cv-01735 (W.D. Wash. Oct. 23, 2024) (“*Hepler*”). *In re Valve* and *Elliott* are pending in this Court, *Abbruzzese* is before Judge King in this District and *Drake* and *Hepler* are yet to be assigned.

On October 2, 2024, plaintiffs’ counsel in *Elliott* filed a motion for appointment as interim lead counsel in *Elliott* on behalf of a putative class of consumers that purchased a PC game on the Steam Store or purchased an in-game product from a game distributed on the Steam Store. *See Elliott* (Dkt. 25). On October 17, 2024, plaintiffs’ counsel in *In re Valve* filed a motion to intervene in *Elliott* in order to challenge the *Elliott* plaintiffs’ motion for appointment as interim class counsel. (Dkt. 33). On October 18, 2024, some, but not all, counsel in *In re Valve* filed a motion to consolidate *In re Valve* with *Elliott* and to appoint interim lead class counsel on behalf of the same class alleged in *Elliott*. (Dkt. 373). On October 21, 2024, counsel for *Elliott* filed a motion to intervene in *In re Valve* for the for the limited purpose of opposing the Motion to Consolidate and Appoint Interim Lead filed by counsel in *In re Valve*. (Dkt. 377).

On October 24, 2024, the undersigned filed the *Drake* complaint and the attached Notice of Related Cases seeking the transfer of *Drake* to this Court. *Drake* concerns allegations that Defendant Valve Corp. has violated Section I and II of the Sherman Act, which are also the claims brought in *In re Valve*, *Elliott*, and *Hepler*.

The undersigned counsel provides the attached Notice of Related Cases because they intend to: (i) promptly meet and confer as required then move to consolidate *Elliott*, *Hepler*, and *Drake*; (ii) move for the coordination of *In re Valve* with the consolidated actions,

1 including *Elliott, Hepler*, and *Drake*; and (iii) move for appointment as interim lead counsel for the
2 consumer class in the consolidated cases (if consolidated) or in *Drake* (pending consolidation).
3 Should the Court instead enter a briefing schedule to ensure a uniform and orderly process for the
4 appointment of interim class counsel under Fed.R.Civ.P. 23(g), *Drake* Counsel will defer to the
5 Court's preferred schedule.

6
7 DATED: October 28, 2024

Respectfully submitted,

8 /s/Karin B. Swope

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*motion for admission *pro hac vice* forthcoming

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Case No. 2:24-cv-01743

BRANDON DRAKE and ERIC SAAVEDRA,
Individually and on Behalf of All Others
Similarly Situated,

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NOTICE OF RELATED CASES

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999 N. Northlake Way Ste 215
Seattle, WA 98103

1 Pursuant to Local Civil Rule 3(g)(1), Plaintiffs Brandon Drake and Eric Saavedra hereby
2 submit this notice of pending, related cases in the Western District of Washington. The related cases
3 are:

- 4 1. *Wolfire Games, LLC v. Valve Corp.*, No. 21-0563-JNW (W.D. Wash. Apr. 27, 2021)
- 5 2. *Elliott v. Valve Corp.*, No. 2:24-cv-01218-JNW (W.D. Wash. Aug. 9, 2024)
- 6 3. *Valve Corp. v. Abbruzzese et al.*, No. 2:24-cv-01717-LK (W.D. Wash. Oct. 18, 2024)
7 (notice of related case seeking transfer to Whitehead, J. filed Oct. 18, 2024, Dkt. No. 5)
- 8 4. *Hepler v. Valve Corp.*, No. 2:24-cv-01735 (W.D. Wash. Oct. 23, 2024) (unassigned)

9 This case (“*Drake*”) concerns allegations that Defendant Valve Corp. has violated Section I and II
10 of the Sherman Act, which are also the claims brought in *Wolfire Games*, *Elliott*, and *Hepler*.
11 Common defendant Valve Corp. in *Wolfire Games*, *Elliott*, and *Hepler* is the plaintiff in *Abbruzzese*,
12 a case in which Valve Corp. seeks to enjoin arbitrations concerning the same alleged Sherman Act
13 violations. Thus, *Drake*, *Wolfire Games*, *Elliott*, *Abbruzzese*, and *Hepler* all concern substantially
14 the same parties, happenings, transactions, and events and it is likely that there will be duplication
15 of labor and expense or the potential for conflicting results if these cases are conducted before
16 different judges. This action should, therefore, be transferred to the Hon. Jamal N. Whitehead

DATED: October 24, 2024

Respectfully submitted,

/s/Karin B. Swope

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*motion for admission *pro hac vice* forthcoming